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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,263	02/19/2004	Jurgen Nistler	P04,0033	4982

7590 04/20/2005

SCHIFF HARDIN LLP
Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606

EXAMINER

SHRIVASTAV, BRIJ B

ART UNIT PAPER NUMBER

2859

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/782,263

Applicant(s)

NISTLER, JURGEN

Examiner

Brij B. Shrivastav

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-34 is/are allowed.
- 6) ☒ Claim(s) 35, 38, 41-45, 48-52, 55, 58-63, 65-67 and 70 is/are rejected.
- 7) ☒ Claim(s) 36, 37, 39, 40, 46, 47, 53, 54, 56, 57, 64, 68 and 69 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 7/12/04.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 35, 38, 41-45, and 48-51 are rejected under 35 U.S.C. 102(b) as being anticipated by Yeung (US 6,100,691).

As regards to claim 35, Yeung teaches a radio-frequency antenna for a magnetic resonance system, including a plurality of antenna rods, each antenna rod having opposite ends, and having two rings (figures 2 and 3). Further, the antenna rods being regularly disposed around a longitudinal antenna axis with the respective opposite ends of each of said antenna rods being connected to the rings, wherein each of the antenna rods having a middle region between the antenna axis and rings, and proceeding substantially parallel to each of rings, and having a plurality of radially outwardly projecting connection regions at which the rings are respectively connected to the opposite ends of the antenna rods (figure 2a), for causing each of the antenna rods to have a rod spacing from said antenna axis that is larger than a ring spacing from the antenna axis for each of said rings (figure 2a; the two distances can be seen in the figure).

As regards to claims 38, 41-45 and 48-51, Yeung further teach the limitations expressed in these claims (figures 1-3).

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2. Claims 52, 55, 58-63, 65-67 and 70 are rejected under 35 U.S.C. 102(b) as being anticipated by Reisker et al (US 6,344,745).

As regards to claim 52, Reisker et al teach a radio-frequency antenna for a magnetic resonance system, including a plurality of antenna rods and two rings (figures 1, 2, 6). Further, Reisker et al teach the antenna rods being regularly disposed around a longitudinal antenna axis and having opposite ends respectively connected to the rings, with each of the antenna rods forming an inclination angle relative to the antenna axis, causing a combination of the antenna rods and the rings to have a frustrum shape (figure 1A), with each of the antenna rods having one of the opposite ends disposed farther from the antenna axis than the other of the opposite ends, and each antenna rod having a rod spacing from the antenna axis measured at one of the opposite ends that is farther from the antenna axis; and the rod spacing being larger than a ring spacing of the antenna rings connected to the respective opposite ends of the antenna rods that are disposed farther from said antenna axis (figure 1A, 6, 7).

As regards to claims 55, 58-63, 65-67 and 70, Reisker et al further read on the limitations expressed in these claims (figures 1, 2 and 6).

Allowable Subject Matter

3. Claims 36, 37, 39, 40, 46, 47, 53, 54, 56, 57, 64, 68 and 69 are objected to as being dependent upon a rejected base claim (s), but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim(s).

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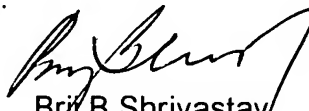
4. Claims 1-34 are allowed, as the prior art of record does not teach or suggest a radio frequency antenna for a magnetic resonance system, wherein each of the antenna rods being bent radially inward toward the antenna axis, in combination with the remaining limitations of the claims.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brij B. Shrivastav whose telephone number is 571-272-2250. The examiner can normally be reached on 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 29, 2005


Brij B Shrivastav
Examiner
Art Unit 2859
